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SEP 1 6 2004

Application No.:

09/470,859

6693) Group Art Unit.:

1632

Confirm. No.: Applicant:

Roy Geoffrey

Examiner:

J.T. Woitach

Filing Date:

SARGENT; 12/23/1999;

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No. of Pages:

7 (including cover) September 16, 2004

Date:

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Rachel Mena

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PTC/SB/81 (08-04)
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POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM First Name	Under the Paperwork Reduction	n Act of 1995, no per⇒ona are rec			nformation unless	ii displays a valid OME	control number.	
First Named Inventor Roy Gauling Sargent First Named Inventor Roy Gauling Sargent First Name Individual Name Registration Number States Patent and Trademark Office connected the name subjected with the above-mentioned Customer Number: Practitioner(a) named below:		:			09/470,859			
CORRESPONDENCE ADDRESS INDICATION FORM Title Processor is teconomical Cognitive Market Number Processor is teconomical Cognitive Market Number Processor is teconomical Cognitive Market Number 14126-034:-001 Thereby appoint: Practitioners associated with the Customer Number: OR Practitioners in named below: Name Registration Number Registration Number Attorney Docket Number 14126-034:-001 The address associated with the above-inchioned Customer Number: OR The address associated with the above-inchioned Customer Number: OR Firm or Individual Name Address Address Address City State Zip Country Telephone Fax State Zip State Inchine State Parent or Passinger or Record of the entire interest, See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is encicle.ed. (Fram PTO/SB/96) Signature Papel Listes, Segand Journal of Security Inspection, Tapestry Pharmaceuticals, Inc. Signature Happe Listes, Segand Journal of Security Inspection, Tapestry Pharmaceuticals, Inc. To the one signature is required, see freed of Security Inspection, Tapestry Pharmaceuticals, Inc. Title Processor is tracement of Security Inspection of Security Inspection of Signature Inspection of Security Inspection, Tapestry Pharmaceuticals, Inc. Title Processor is tracement of Security Inspection of Security Inspection of Security Inspection of Security Inspection, Tapestry Pharmaceuticals, Inc. Title Processor is tracement of Security Inspection of	POWER OF A	ATTORNEY:			12/23/1999			
CORRESPONDENCE ADDRESS INDICATION FORM AT Unit 1832 Examiner Name J.T. Wuitsch Attorney Docket Number 41428-034%-001 Theraby appoint: Practitioners associated with the Customer Number: OR Practitioner(a) named below: Name Registration Number Registration Number Name Registration Number Name Registration Number Please recognize or change the correspondence differest for the above-identified application to: The address associated with the above-mentioned Customer Number: OR The address associated with Customer Number: OR Firm or Individual Name Address Address Address Address Address Address Signature or record of the entire interest, See 37 CFR 3.71. Sitetement under 37 CFR 3.73(b) is encisived, (From PTO/SB/96) SIGNATURE of Applicant or Casignee of Record of Sesignee, put name, title and company name in the "Name" space below) Name Hape Libbes, Oscars Course of cord of sesignees, put name, title and company name in the "Name" space below) Name Hape Libbes, Oscars Course of cord of sesignees, put name, title and company name in the "Name" space below) Name Hape Libbes, Oscars Course of cord of sesignees, put name, title and company name in the "Name" space below) Name Hape Libbes, Oscars Course of cord of sesignees or record of the entire interest or their representative(s) are required. Submitt multiple		_	First	Named Inventor		Roy Geolfrey Sargent		
INDICATION FORM Examiner Name J.T. Wult xt h Atterney Docket Number Interest appoint: Practitioners associated with the Customer Number: Practitioner(s) named below: Name Registration Number Registration Number Name Registration Number Registration Number Name Name Registration Number Number Name Registration Number Number Name Registration Number Number Number Name Registration Number Number Number Number Name Name Registration Number Nu	CORRESPONDENCE		Title		Production (-)	Production of Recombinant Organisms		
Attorney Docket Number 13.1-Wolchet 14128-0342-001			Art Ui	nit	1632	1632		
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Thereby appoint: Practitioners associated with the Customer Number: Registration Number Name Registration Number Registration Number as my/our attorney(s) or agent(s) to prossecute the supplication Identified above, and to transact all business in the United States Patent and Tracemark Office connected therewith. Please recognize or change the correspondence address for the above-identified application to: The address associated with the above-inentioned Customer Number: OR Firm or Individual Name Address Address Address Address Address Sassociated with Customer Number: Firm or Individual Name Firm or Registration of United Name Firm or Registration or Individual Name Firm or Registration or Individual Name Firm or Individual Nam	(İ	Attori	nev Docket Number				
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Practitioner(s) named below: Name	_ · ··	•		05044	_			
Practitioner(s) named below: Name	Practitioners associated w	ith the Customer Number:	1 25213					
Practitioner(s) named below: Name	i	:	<u> </u>					
Name Registration Number as my/our attorney(s) or agent(s) to prosecute the supplication Identified above, and to transact all business in the United States Patent and Trademark Office connected therewith. Please recognize or change the correspondence atidress for the above-identified application to: The address associated with the above-mentioned Customer Number: OR Firm or Individual Name Address Address Address City State Zip Country Telephone Fax Applicant/Inventor. Applicant/Inventor. Assignee of record of the entire interest. See 37 CFR 3.71. Stefament under 37 CFR 3.73(b) is enclosed. (Farm PTO/SE/96) SIGNATURE of Applicant or Salignee of Record (if assignee, put name, title and company name in the "Name" space below) Name Hope Liebke, Geograp counsel, dynomics Division, Tapestry Pharmaceuticals, Inc. Signature Date Telephone 102.286,5820 NOTE; Signatures of all the Inventors or assignees of rocord of selective interest or their representative(s) are required. Submitt multiple forms im one hapedure is required, see below.) OR	:						
Name Registration Number as my/our attorney(s) or agent(s) to prosecute the supplication Identified above, and to transact all business in the United States Patent and Trademark Office connected therewith. Please recognize or change the correspondence atidress for the above-identified application to: The address associated with the above-mentioned Customer Number: OR Firm or Individual Name Address Address Address City State Zip Country Telephone Fax Applicant/Inventor. Applicant/Inventor. Assignee of record of the entire interest. See 37 CFR 3.71. Stefament under 37 CFR 3.73(b) is enclosed. (Farm PTO/SE/96) SIGNATURE of Applicant or Salignee of Record (if assignee, put name, title and company name in the "Name" space below) Name Hope Liebke, Geograp counsel, dynomics Division, Tapestry Pharmaceuticals, Inc. Signature Date Telephone 102.286,5820 NOTE; Signatures of all the Inventors or assignees of rocord of selective interest or their representative(s) are required. Submitt multiple forms im one hapedure is required, see below.	Practitioneds) named beld	nw:						
as myour attorney(s) or agent(s) to prosecute the supplication identified above, and to transact all business in the United States Patent and Trademark Office connected therewith. Please recognize or change the correspondence acidress for the above-identified application to: The address associated with the above-mentioned Customer Number: OR Firm or Individual Name Address Address City State Zip Country Telephone Fix Applicant/Inventor. Assignee of record of the entire interest, See 37 CFR 3.71. Sitetament under 37 CFR 3.73(b) is enclosed, (Form PTO/SB96) SIGNATURE of Applicant or Assignee of Record (if assignee, put name, title and company name in the "Name" space below) Name Hope Liebke, Geograp Counset, Genomics Division, Tapestry Pharmaceuticals, Inc. Signature Date Telephone 102.266.5820 NOTE: Signatures of the inventor or assignees of record of the entire interest or their representative(s) are required. Submitt multiple former import than one kignifuce is sequired, see below.	The state of the s	<u> </u>						
Trademark Office connected therswith. Please recognize or change the correspondence address for the above-identified application to: The address associated with the above-mentioned Customer Number: OR The address associated with Customer Number: OR Firm or Individual Name Address Address Address Address Address Address Address I am the: Applicant/Inventor. Assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is encicled. (Farm PTO/SB/96) Signature of Applicant or Assignee of Record (if assignee, put name, title and company name in the "Name" space below) Name Hope Liebke, Geograp Counsel. Genomics Division, Tapestry Pharmaceuticals, Inc. Signature Date Telephone 102.286.6820 NCTE: Signabures of all the Inventors or assignees of record of sie entire Interest or their representative(s) are required. Submitt multiple forms if more than one keedure is required, see below.	-	Name .			Registration N	umber	1	
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Signature Date Telephone :102.286.6820 NOTE: Signatures of all the inventors or assignees of rocord of ble entire Interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.								
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forms if more than one signature is required, see below.	Date	13 700Y			tétebuoue :)(2.286.6820		
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This collection of Information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) and application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is retained to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the Individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sont in the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FI ES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:

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STATEMENT UNDER 37 CFR 3.73(b)
Applicant/ Putont Surror: Roy Geoffrey Sargentint al.
Application No./Potent No. 109/470,859 Filed/leave Date: 12/23/1999
Entitled: Production of Recombinant Organisms.
Tapestry Pharmaceuticals, Inc. , a corporation (Name of Assignee) (Type of Assignee, e.g., corporation, partnership university, government agency, etc.)
states that it is: 1. the assignee of the entire right, title, and interest; or
2. an assignee of less than the entire right title and interest. The extent (by percentage) of its ownership interest is ——————————————————————————————————
A. [] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Tradentark Office at Reel, Frame, or for which a copy thereof is attached.
OR
B. [-] A chain of title from the Inventor(s), of the patent application/patent identified above, to the current assignee as shown below: Roy Geoffrey Sargent; Kalhryn Anne 1. From: Vallerga; Sushma Pall; David A. Zarling To: Pangene Corporation
The document was recorded in the United States Patent and Trademark Office at Reel <u>010765</u> , Frame <u>0717</u> , or for which a copy thereof is attached.
2. From: Pangene Corporation To: NaPro BioTherapeutics, Inc.
The document was recorded in the United States Patent and Trademark Office at Reel _013696, Frame <u>l 0835</u> , or for which a copy thereof is attached.
3. From: NaPro BioTherapeutica, Inc. To: Tapestry Pharmaceuticals, Inc.
The document is attached hereto.
[] Additional documents in the chain of title are listed on a supplemental sheet.
[v] Copies of assignments or other documents in the chain of title are attached. [NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to bu resprided in the records of the USPTO. See MPEP 302.08]
The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee. Hape Liebke Typed or plimited name
Telephone number Signature General Counsel, Genomics Division Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form sold/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Delaware

PAGE 1

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP, WHICH MERGES:

"TAPESTRY PHARMACKUTICALS INC.", A DELAWARE CORPORATION,
WITH AND INTO "NAPRO BIOTHERAPEUTICS, INC." UNDER THE NAME
OF "TAPESTRY PHARMACEUTICALS, INC.", A CORPORATION ORGANIZED AND
EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED
AND FILED IN THIS OFFICE THE FOURTH DAY OF MAY, A.D. 2004, AT
8:30 O'CLOCK A.M.

AND I DO HEREBY FORTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF OWNERSHIP IS THE FOURTH DAY OF MAY, A.D. 2004, AT 4 O'CLOCK P.M.

2350165 8100M 040397088



Warriet Smith Hindson Harriet Smith Windson Secretary of State

farriet Smith Windsor, Secretary of State

AUTHENTICATION: 3139320

DATE: 05-27-04

State of Delaware Segretary of State Division of Corporations Delivered 1:33 AM 05/04/2004 FILED 0 0 AM 05/04/2004 SRV 040321067 - 2350165 FILE

CERTIFICATE OF OWNERSHIP AND MERGER

MERGING

TAPESTRY PHARMACEUTICALS, INC.

WITH AND INTO

NAPRO BIOTHERAPEUTICS, INC.

Pursuant to Section 253 of the Delaware General Corporation Law

NAPRO BIOTHERAPEUTICS, INC., a corporation organized and existing under the laws of the State of Delaware (this "Corporation"), Does Herrery Certury:

FIRST: That this Corporation was incorporated on September 8, 1993, pursuant to the Delaware General Corporation Law (the "DGCL"), the provisions of which permit the merger of a subsidiary corporation organized and existing under the laws of such State with and into a parent corporation organized and existing under the laws of such State.

SECOND: That this Corporation owns all of the outstanding shares of the common stock, \$0.01 par value per share, of Tapestry Pharmaceuticals, Inc., a corporation incorporated on April 21, 2004 (the "Marger Sub"), pursuant to the DGCL, and having no class of stock outstanding other than such common stock.

Tenen: That this Corporation, by the resolutions of its Board of Directors attached hereto as Exhibit A, duly adopted by the unanimous written consent of its members pursuant to Section 141(f) of the DGCL effective May 3, 2004, determined to merge the Merger?).

FOURTH: That the surviving corporation of the Merger (the "Surviving Corporation") shall be this Corporation.

Fight: That from and after the effective time of the Merger, the Amended and Restated Certificate of Incorporation of this Corporation, as amended (the "Certificate of Incorporation"), shall be the Certificate of Incorporation of the Surviving Corporation and Article One of the Certificate of Incorporation of this Corporation shall be amended and restated to read as follows:

"The name of this corporation is Tapestry Pharmaceuticals, Inc. (the "Corporation")."

SIXTH: That the Mcreger shall become effective at 4:00 pm EDT on May 4, 2004.

In WITNESS WHEREOF, NaPro BioThempeutics, Inc. has caused this Cartificate of Ownership and Marger to be executed in its corporate name as of this 3rd day of May, 2004.

NAPRO BIOTHERAPEUTICS, INC.

Kai P. Larson

EXHIBIT A

RESOLUTIONS ADOPTED BY THE BOARD OF DIRECTORS OF NAPRO BIOTHERAPRUTICS, INC.

RESOLVED, that the Merger Sub be merged with and into the Corporation (the Merger") and that the Corporation be the surviving corporation of the Merger;

RESOLVED FURTHER, that the Merger shall become effective on the filing of a Certificate of Ownership and Merger (the "Certificate of Merger") prepared and executed by an officer of the Corporation in the form required by Section 253 of the General Corporation Law of the State of Delaware and filed with the Secretary of State of the State of Delaware;

RESOLVED FURTHER, that upon the effectiveness of the Merger, (i) the Corporation shall assume all of the liabilities and obligations of the Merger Sub, (ii) the name of the Corporation shall be changed from "NaPro BioTherapeutics, Inc." to "Tapestry Pharmaceuticals, Inc." and (iii) Article One of the Amended and Restated Certificate of Incorporation of the Corporation, as amended, shall be amended and restated to read as follows: "The name of this corporation is Tapestry Pharmaceuticals, Inc. (the "Corporation")."

RESCUVED FURTHER, that the officers of the Corporation be, and each of them hereby is, authorized and directed, for and on behalf of the Corporation, to effect all fillings and qualifications, and take all further actions, that any such officer deems to be necessary or appropriate to comply with state or federal securities laws in connection with the transactions contemplated by the Merger and the Certificate of Merger;

RESOLVED FURTHER, that the officers of the Corporation be, and each of them hereby is, authorized and directed for and on behalf of the Corporation to prepare, execute and deliver the Certificate of Merger and any other agreements, certificates and other documents referred to therein or contemplated thereby, and to cause the Corporation to perform its obligations under the Certificate of Merger; and

RESOLVED FURTHER, that the officers of the Corporation be, and each of them hereby is, authorized and directed, for and on behalf of the Corporation, to execute and deliver all other instruments, effect all fillings and qualifications, and take all further actions, that either of them deem to be necessary or appropriate to carry out the purposes of the foregoing resolutions and to consummate the transactions contemplated by the Merger and the Certificate of Merger.